IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 2469 of 2005

Between:

V.V.L.A.Prasad, S/o.V.V.Ramana Rao,
R/o.29-9-64, Dr.G.R.Naidu Street,
Suryapet, Vijayawada-520002.Krishna District.

..... PETITIONER

AND

1 The Station House Officer, State of Andhra Pradesh, rep.P.S.Begumpet.
2 The Official Liquidator, High Court of A.P., Hyderabad.
3 M/s. Pennar Industries Ltd., H.No.1-10-75/1/1-6, 1st floor, Sapthagiri Towers, S.P.Road, Begumpet, Hyderabad-500016,
B.O.307, Siddartha Ramakrishna Apartment, Yellareddyguda, Ameerpet, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order, or direction specifically one in the nature of writ of Mandamus by declaring the 1st respondent's letter No. 283/BPT/Inspr/OW/2004, dt.18-06-2004 as illegal, arbitrary, and against the principles of natural justice and consequently direct the respondent to issue FIR and proceed for further investigation according to law and pass such other further order or orders as such the Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.O.RAMESH

Counsel for Respondent No.1: GP FOR HOME

Counsel for Respondent No.2:--

Counsel for Respondent No.3:--

The Court at the stage of admission made the following ORDER:

The petitioner claims to have submitted a complaint under Section 200 Cr.P.C. before the Court of the XI Metropolitan Magistrate, City Criminal Courts, Hyderabad on 04-03-2004, alleging certain criminal acts on the part of the third respondent. The complaint is said to have been referred to under Section 156(3) of Cr.P.C. to the first respondent for investigation. The grievance of the petitioner is that the first respondent has not taken any steps in the investigation and there is no progress in the matter. He seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

The petitioner availed the remedy under Section 200 Cr.P.C. and it is at his instance, the learned Magistrate forwarded the complaint. If the petitioner is of the view that the investigation is not proceeded on the expected lines, nothing precludes him from approaching the learned Magistrate of the alleged inaction. In such an event, it is always competent for the learned Magistrate to take stock of the situation and pass appropriate orders or issue appropriate directions.

In that view of the matter, the writ petition is disposed of leaving it open to the petitioner to approach the Court of XI Metropolitan Magistrate, City Criminal Courts, Hyderabad and seek appropriate relief for the speedy and effective investigation of

the matter. There shall be no order as to costs.

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16-02-2005

kdl

To

1. The Station House Officer, State of Andhra Pradesh, P.S.Begumpet.
2. The Official Liquidator, High Court of A.P., Hyderabad.
3. Two C.Cs. to the Government Pleader for Home, High Court of A.P., Hyderabad.
4. Two C.D. Copies.